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LETTER

From a Foreign Minister at

VIENNA, ^{W.}/_h

To another of the same Quality at the

H A G U E,

CONCERNING

The Death of the Late EMPEROUR of the
ROMANS, and the most Adviseable Me-
thods of coming to a New and Speedy
Election for the Good of the COMMON
CAUSE.

To which is Added

Her BRITANICK MAJESTIES and Her
PARLIAMENTS Resolutions thereupon.
As also that of their High Mightinesses the
STATES-GENERAL: Extracted from
the Journals of the HOUSE OF COMMONS,
and the Reports of the STATES-GENERAL.
Likewise a Letter from them to K. Charles
on that Subject, with scarce and valuable
Authorities from the most approved Authors
of the Methods and Ceremonies which are
to be Observ'd in the ensuing Election.

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A

LETTER

FROM A FRIEND

TO A FRIEND

IN THE

YEAR

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Vienna, Apr. 18. 1711.

MY LORD,



THE Courier that brings this, will be dispatch'd back again with all Expedition, as soon as the melancholy News of the Emperor's unexpected Death will give the Congress time to think of proper Measures to be taken in this fatal Emergency. That Prince was taken ill on the 10th instant, and his Distemper appearing to be the *Small Pox*, proper Remedies were made use of by his Physicians which brought the Pustules out after such a manner as to promise very successful Events.

This made his Imperial Majesty, after Signing the Declaration in favour of the Duke of *Savoy*, which the Earl of *Peterborow* was to carry with him to *Turin*, give Orders for the immediate departure of Prince *Eugene* to the

Netherlands, who desir'd to have taken leave of his Majesty but was deny'd, on account of his not having had the *Small Pox*. Nothing but good Symptoms appear'd in every circumstance of his Majesty's Distemper 'till the 16th at Night, the Morning before which, the General above-mention'd set out for the *Hague*; when, to the surprize and grief of the whole Court, those Pustules that rose so very finely before, all sunk and fell, and that most August Monarch, after being delirious for several Hours, and troubled with Convulsive Fits surrender'd up his Soul into the Hands of his Redeemer, and was gather'd to his Fathers, half an hour after Eleven this Morning.

To describe the consternation of this Court and City upon this lamentable Occasion, is a Task superiour to my Abilities; I shall therefore only tell your Lordship, that after all possible precautions had been taken to prevent this dismal Accident's having any fatal effect upon the Empress, that was now become the most mournful Widow that ever was seen, care was taken to summon the Counsel who immediately desir'd the Empress Mother to take the administration of the Hereditary Affairs into her Hands, and sent for Prince *Eugene* to return instantly to *Vienna*, where his Presence is very necessary.

An Express was also sent to the Elector of *Mentz*, who has a Right to summon the other Electors to meet at *Franckfort* on the Main, for

for a new Election ; as likewise to the Elector *Palatine* and King *Augustus* of *Saxony*, who are Vicars of the Empire during an Interregnum ; the one in *Suabia*, *Franconia*, and the course of the *Rhine*, from the Head of it, and the *Danube*, down to the *Netherlands*, ; and the other, not only in all the Provinces where the *Saxon-Law* is in force, but also over all the other which lie in the Circles of Upper and Lower *Saxony*. Nor was timely Provision wanting, after Count *Jorger* was dispatch'd to *Barcelona* to acquaint his Catholick Majesty, *Charles* the III. with this deplorable Misfortune, to make the other Courts of *Europe* appriz'd of it, in particular *Great Britain*, and the Lords the States General of the United Provinces, that they, through their Interest with the Electors and Princes of the Empire, might form such Schemes as should defeat the Designs of the Common Enemy, in the Choice of the present King of *Spain* to the Throne of his August Ancestors, who have had it in their Family, either in a direct or a collateral Line, ever since the Year 1438. that *Albert* the *Magnanimous* of *Austria* succeeded his Father-in-Law the Emperor *Sigismund*, which is about 273 Years.

What induces the greatest Politicians among us to hope the Election will fall thus, is,

First, Because the House of *Austria* has been so long in possession of the Imperial Dignity.

Secondly,

Secondly, Because of their great Dominions in the Empire and its Neighbourhood, being Kings of *Hungary, Bohemia, Dalmatia, Croatia, Sclavonia, Bulgaria, Bosnia, Servia, and Rascia*, Arch-Duke of *Austria*, Duke of *Burgundy, Brabant, Stiria, Carinthia, Carniola, Luxemburgh, Wittenburgh*, together with the Higher and Lower *Silesia*, Marquiss of the Holy Empire, *Burgaw, Moravia*, with the Higher and Lower *Lusatia*, Sovereign Count of *Habsburgh, Tyrol, Fevrette, Kiburgh, Goutia*, Landgrave of *Alsace*, Lord of *Windischmark, Portwaw* and *Salines*: Which Titles and Domains make him by much the greatest Prince of the Empire, and most capable of defending it in case of a War with the *Turks, Italians, or Poles*, because his Hereditary Dominions reach from *Switzerland* to the confines of *Turkey* one way, and from the Frontiers of *Saxony* to the Gulph of *Venice* another, a vast Tract of Ground being more than 390 Miles from South to North, and 600 from East to West and all contiguous.

To this may be added, That his Family is now the most Illustrious in all the World, there having been no less than 19 Emperors, 16 Kings, 31 Electors and Electrices, and 190 Dukes, Dutcheffes, Princes, Princesses, Counts and Countesses, from the Emperor *Rodolphus* of that House.

Thirdly, Because the Elector of *Mentz*, who is High Chancellor, and by consequence the
second

second Person in the Empire, and who presides at the Election, and collects the Suffrages, is in the Interest of the House of *Austria*: He and his Brother Count *Sconborn*, who is Vice-Chancellor of the Empire, having been advanc'd by them to their respective Dignities, and it is the Duty of his Office to summon the Electors to appear in Person, or by Deputies, for the Choice of a new Emperor, wherein he will in all likelihood lose no Time, at such a dangerous Conjunction.

Fourthly, Because the Elector of *Treves* is a Son of the House of *Lorrain*, which has had great Honours confer'd upon it by the late Emperor and his Predecessors, and a Grandson of the House of *Austria* by his Mother, who was Aunt to King *Charles*, and therefore undoubtedly in the Interest of his Family, that gave Sanctuary to that Prince his Father, when despoil'd of his Dominions by the present King of *France*, *Lewis* the XIV.

Fifthly, Because King *Charles* himself, as King of *Bohemia*, is the first in Dignity of all the secular Electors, and has the first Vote next to those of *Mentz* and *Treves*.

Sixthly, Because the Elector *Palatine*, who is Vicar of the Empire on the *Rhine*, &c. and by consequence must have a very great Influence on the Election, is Uncle to King *Charles*, by his Mother the Empress Dowager to *Leopold*, and entirely in his Interest.

Seventhly,

Seventhly, Because King *Augustus*, who is Vicar of the other part of the Empire, as Elector of *Saxony*, does in a great measure owe his Election to the Throne of *Poland* to the assistance of the House of *Austria*, and is descended from them by Marriage.

Eighthly, Because the King of *Prussia* is likewise allied to that Family after the same manner, and has receiv'd the Regal Dignity as the sole Grant of the late Emperor's Father, without whose concurrence in his Favour, he had never assum'd that August Character.

Ninthly, Because the Elector of *Hannover*, who is the last, tho' not the least Powerful of the foregoing Electors, must ever acknowledge his Creation to that Dignity due to the House of *Austria*, not without great opposition from those who prefer'd their particular Views to the Common Good of *Europe*, and the Merit of that great and illustrious Family, which being likewise descended, by Marriage, from the House of *Austria*, as well as from a Daughter of *Great Britain*, and newly allied to the Imperial Family by the present Empress Dowager, *Willhelmina Amalia*, Daughter to *John Frederick*, late Duke of *Hannover*.

Tenthly, Because there seems to be no other Prince whose Election will occasion less Difficulties at this dangerous Conjunction, when the Union of *France* and *Spain* actually threatens the Liberties of *Europe*, and that it will make King *Charles* the more capable of rescuing the
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(9)
the Monarchy of *Spain* from the House of *Bourbon*, which is one of the principal Causes of the present Confederacy and War, and will likewise enable him the better to oppose those new Commotions with which *Europe* is threatened by the *Turks*, and *Tartars*.

But as the exclusion of the two Electors of *Bavaria* and *Cologne* from being present at this Election, may occasion Protests against it, and several Princes may in all probability take umbrage at King *Charles* his being both Emperor and King of *Spain*, as if that Family would be too great, and might from thence revive their Design for the Universal Monarchy; so it may not be improper to cast out for such a Successor to the *Spanish* Dominions which are out of *Italy*, as may be most agreeable to the Confederated Powers; tho' the Emperor *Charles V.* who was likewise King of *Spain*, by endeavouring to obtain this Universal Monarchy, has so weaken'd his Successors by it, that they have never since been capable of re-attempting it, or any thing like it, except in what was done by *Ferdinand II.* and *III.* who endeavour'd to be absolute in *Germany*, and so ruin'd themselves and impoverish'd their Successors, by bringing the *Swedes* and *French* into the Empire.

To this purpose, it may not be amiss to look upon such a Prince, who by the accession of the Kingdom of *Spain* to his other Territories, will be the least enabled to insult his Neighbours.

(10)
Now as he must be one of the *Roman Catho-
lick* Religion, we seem to have but two Com-
petitors for this high Dignity; the Duke of
Savoy, who deserves well of the Confederates
for his firm and unparalell'd adherence to the
Common Cause, and the King of *Portugal* who
is no inconsiderable accession of Strength to it.
The first in all appearance will be heartily
oppos'd by the *English*, who will never allow
any Potentate to be possess'd of that Monar-
chy, who by Themselves or their Posterity,
may form the least Pretensions to their Crowns,
which is settled upon the *Protestant* Line of
Hanover; since this might endanger those Li-
berties and that Religion which they had pur-
chas'd to themselves by a great profusion of
Blood and Treasure. And the second by ha-
ving the Grant of it confer'd upon him, would
give such Umbrage to other Princes in the
Grand Alliance, especially the Duke of *Savoy*,
who is so very observant of the least disre-
gard to his Interests, as to be liable to be
drawn off from the Confederacy on such oc-
casion.

If therefore those whose proper Business it
is to consult the Quiet and Repose of the
whole Christian World, should think it more
to their purpose to divide the *Spanish* Monar-
chy, than to let the full and whole Possession
descend to the House of *Austria*, it may not
carry the Face of Injustice with it to let the
Duke of *Savoy*, be possess'd of *Naples* and the

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Milaneze, with the Title of King of *Lombardy*, and the devolution of the Dukedom of *Tuscany* when that shall fall, to keep it from being in the Hands of the *French*, who are laying Pretences to the Succession of it; while King *Charles*, if Emperor, holds himself contented with *Sicily*, *Sardinia*, *Majorca*, and the Imperial Fiefs in *Italy*, that the King of *Portugal* may be put into the possession of the rest of *Spain*, and the *West Indies*.

Such a Partition would never endanger the Liberties of *Europe*, tho' at present there is so little of the *Spanish* Monarchy recover'd from the *French*, and the wresting of the remainder from them is so like to prove a Work of such Difficulty, that it scarce seems worth any Prince's while to be his Catholick Majesty's Rival for that Crown. But were he quietly possess'd of the whole, as he certainly has the best Title to it, the House of *Austria* is undoubtedly too much oblig'd to the Confederates in general, to pretend to hurt their Neighbours, or the Ballance of *Europe* with it.

The improbability of it is evident from the other Branches of their Dominions lying so remote from it, and their having no competency of Naval Force to transport Troops from the one part to the other, and their not being able to march them to the Places of Embarkment, without leave of other Princes and States.

To this I may add, that if God bless King *Charles* with more Sons than one, as his Queen is now gone six Months with Child, the *Austrian Eagle* will split again into two, as formerly, and then the Danger of their Exorbitant Power will be over, before either of the *Eagles* can recover the Feathers they have lost by molting so long.

Besides, the setting up a new Pretender to *Spain*, without the consent of King *Charles* and his Party, may not only lose the Confederates all the footing they have there, but endanger the whole Alliance, and expose all *Europe* to a greater danger of being over-run by the House of *Bourbon* than others.

However, these Conjectures are left to the determinations of our respective Sovereigns, who already know, that *Charles V.* was chosen Emperor when King of *Spain*, and actually residing in that Country at his Palace in *Barcelona*; which Country was then more Powerful by far than now, and govern'd by the wisest, bravest, richest, and most victorious Prince of his Time, in full Possession of the Dominions of the House of *Burgundy*, and the whole *Netherlands*; yet, with all these Advantages, which no Emperor or King of *Spain* can ever expect again, he was not able to carry the Universal Monarchy: So that the Objection from thence, against the present King *Charles's* enjoying both Crowns has nothing in it.

But my Letter is run out into a more than ordinary length, and your Lordship is too sensible of the indispensable Necessity of providing for the repose of *Europe*, not to be of my Opinion. What the *French* have to do in this unhappy Conjunction, is to lay hold on all Occasions of disturbing the Peace of the Empire, which they seldom let slip, and which now seem to offer themselves, unless the Diet of *Ratisbone* that continues now sitting, timely prevents it.

This seems to be in their Intentions at present, which deserves your communication to the Congress, and the Marquis *de Bezon's* Arrival at *Strasburgh*, puts it beyond a Question, that they'll endeavour to penetrate into *Bavaria*, &c. through the *Black Forrest*, as soon as they shall hear of his Imperial Majesty's Death, which cannot be kept long from them. Your Lordship is too sensible of what import it is to our Counsels here, which are all at a stand, what the Resolutions of the Queen of *Great Britain* and of their High Mightinesses, will be ; wherefore I must beg the knowledge of them with all possible Dispatch, and beg leave to tell you that I am with Truth,

Your Lordships very humble Servant,

W—

Mr.

Mr. **S**ecretary *St. John* having acquainted the House of Commons that he had a Message from Her Majesty, signed by Her Majesty, presented the same to the House, which Mr. *Speaker* read, and was as followeth,

ANNE, R.

HER MAJESTY is pleased to acquaint this House with the Ill News She hath received of the Emperor's Death; And being sensible of the Consequence this great Loss may be of, to the Allies; How disheartened some of them may be on the one hand, and how diligent *France* will be on the other, to improve every Accident to their own Advantage; Her MAJESTY is desirous to let you know, That immediately, on the first News of the late Emperor's Sickness, She came to a Resolution, to support the Interest of the House of *Austria*, in this Conjunction, and to use Her utmost Endeavours to get the King of *Spain* made Emperor, in which the *States-General* have likewise concurred with Her Majesty; And since that, Her Majesty hath taken the most proper Means to engage all those who have a share in this Election, and are in the Interest of the Common-Cause, to joyn with Her, in bringing this Great Work to a good Issue; and She hath an entire Confidence in the Affection and Duty of Her Parliament, That with their Assistance, under the Protection and Blessing of Almighty God,

God, She shall be enabled to make a happy Conclusion of this War, in a Safe and Honourable Peace.

The Season of the Year, and the Length of Time that hath passed since your Meeting, will make you all wish, That you may be at liberty to attend the Publick, as well as your own private Affairs, throughout the Kingdom, and therefore Her Majesty does recommend to you, so to hasten your Consultations about all the Publick Concerns, that Her Majesty may put a speedy end to this Session.

In Answer to this, That Honourable House Resolved, *Nemine Contradicente*,

That an Humble Address be presented to Her Majesty, to return Her Majesty the humble Thanks of this House, for Her Majesty's most Gracious Message, and to assure Her Majesty, That this House is truly sensible of the great Loss the Alliance has sustained by the Death of the Emperor, and of the early and wise Care Her Majesty has been pleased to take, to prevent the ill Consequences thereof, by resolving to support the Interest of the House of *Austria*, and by endeavouring to get the King of *Spain* elected Emperor. And farther to assure Her Majesty, That She may safely place an intire Confidence in the Duty and Affection of this House, which cannot be discouraged by this Misfortune, from Supporting

ing Her in all those Measures, She, in Her Great Wisdom, shall judge proper, to bring this War to a happy Conclusion, by a safe and honourable Peace. And that this House will give all possible Dispatch to the Publick Business depending before them, that so Her Majesty may put a speedy End to this Session.

Which Address being drawn up in pursuance of the said Resolution, and carried to the Lords for their Concurrence was agreed to, and presented to the Queen on *Friday* the 20th of *April* in these Terms, which we beg leave to reprint for the Honour of both Houses.

The Humble Address of the Right Honourable the Lords Spiritual and Temporal, and and Commons in Parliament Assembled.

Die Veneris 20 Aprilis, 1711.

Most Gracious Sovereign,

WE Your Majesties most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal, and Commons of Great Britain, in Parliament Assembled, beg Leave to Return Your Majesty our most humble Thanks for Your Majesties most Gracious Message. We are truly sensible of the great Loss the Alliance has sustain'd by the Death of the Emperor, and do with all Duty Acknowledge the Early and Wise Care Your Majesty has been pleas'd to take, to prevent the Ill Consequences thereof, by
Resolv-

Resolving to Support the Interests of the House of Austria, and Endeavouring to Promote the Election of the King of Spain to the Empire.

Your Majesty may safely place an intire Confidence on our Duty and Affection, and may rest Assured, That we cannot be Discouraged, by this or any other Misfortune, from Supporting Your Majesty in all the Measures which Your Majesty in Your great Wisdom, shall judge proper to bring this War to a Happy Conclusion by a Safe and Honourable Peace. And being truly convinc'd, how necessary it is to give all possible Dispatch to the Publick Business, we will use our utmost Diligence in every part of it Depending before us, That Your Majesty may have the Satisfaction of putting a speedy end to this Session.

Her MAJESTIES most Gracious Answer.

My Lords and Gentlemen,

I Thank you very heartily for this Address. It is of great Importance that the World should know, that both Houses of Parliament do so unanimously Approve the Measures I have Taken on this Occasion of the Emperor's Death, which will very much Encourage Our Allies to continue United in the Common Cause.

*An Extract from the Register of the Resolutions of
their High Mightynesses the Lords the States-
General of the United Netherlands.*

Luna, 27 Aprilis, 1711.

MR. *Van Welderen* and other Deputies of their High Mightynesses for Foreign Affairs, reported to the Assembly of their High Mightynesses, that the Count *de Sinzindorf* and Baron *Heems*, Imperial Plenipotentiaries, had, in a Conference, acquainted them with the Death of his Imperial Majesty on the 17th of this Month, of which Letters of Notification could not be dispatch'd in Form by the Court of *Vienna*, because of the shortness of the Time; that the first Empress-Dowager had taken on her provisionally the Regency of the Hereditary Countries; that the general Command of all the Imperial Troops was conferr'd on Prince *Eugene* of *Savoy*; that he was set out from *Vienna* for the *Upper Rhine*, there to give all necessary Orders, and would speedily proceed from thence to the *Hague*: That they the said Plenipotentiaries desired their High Mightynesses to lay to Heart this Accident, and the Interests of the House of *Austria* with their usual Zeal; and to recommend the same to the Electors of the Empire, to the End his Royal Majesty King *Charles*, only Brother of his late Imperial Majesty, may be chosen Emperor

peror in his Room: And that their High Mightynesses would likewise be pleased to send Orders to the Admirals and Commanders of their Ships of War in the Mediterranean, to favour the Passage of his said Royal Majesty from *Spain*.

Which Report being taken into mature Deliberation, together with the Letters written on the same Subject by Mr. *Hamel Bruyninx* Envoy Extraordinary of this State at the Imperial Court, dated the 17th and 18th Instant, 'tis thought fit and resolv'd,

That it shall be represented by Letters to the Electors of the Empire, that their High Mightynesses receiv'd the unexpected News of the Death of his late Imperial Majesty of glorious Memory with the greatest Concern and Grief; and that this Accident happening at a Time when all the High Allies, and the Empire (of which his said Imperial Majesty was the Head) are engag'd in a heavy and dangerous War, against a powerful and formidable Enemy, for the common Liberty and Security, it has induc'd their High Mightynesses to take into very serious Consideration what may be most proper for the Preservation and Welfare of the Common Cause of the High Allies at such a Juncture, that it may not suffer any Prejudice, or the Enemy gain any Advantage. That the first and only effectual Means to be used, is the conservation and continuance of a good Understanding, Trust,

and Union, between the High Allies and the Empire; that so each and every one of the High Allies and of the States of the Empire, may contribute with Zeal, Courage, and Firmness, and with all their Strength to carry on the War with Vigour and Success; without omitting the least thing at this Juncture, or making any alteration in the common Measures; but rather improving their Union and imploying the utmost Efforts, to frustrate all Hopes of the common Enemy of making any advantage of this unexpected Accident. That nothing can be better for the Welfare of the Common Cause on this Occasion, nor more Advantagious to all the High Allies and to the Empire it self, than to proceed to the Election of a new Emperor as soon as possible, and to choose such a Person as may be most fit and able to carry on the Common Cause, and to promote it with the same Force and Success as did the late Emperor. That whereas the Imperial Dignity has for so long a course of Time been conferr'd on Princes of the House of *Austria*, and no Male-Heir of that House is at present left, except the only Brother of his late Imperial Majesty King *Charles III.* therefore they leave it to the consideration of the Electors, whether any Person can be found, who by the blessing of God, can maintain the general Cause against the Common Enemy, and retrieve the Loss suffer'd by the immature Death of his late Imperial

perial Majesty, more vigorously, and in all likelihood more effectually than King *Charles*, if rais'd to that Dignity. That it is not the Intention of their High Mightynesses to intermeddle in this Point, in the consultations of the Electors; but because they have a great Concern in the Welfare of the Common Cause, and are in Alliance with the Empire for carrying on the War, they cannot but impart to them their Thoughts concerning this Matter. Friendly intreating them to consider thoroughly in their great Wisdom, and to proceed the sooner the better to the Election; that thereby the Affairs of the Empire may be administred to the best Advantage, and all Hopes and Opportunity cut off from the Enemy of prejudicing the Common Cause by their Intrigues or otherwise, during the Empire's want of a Head.

That Letters shall likewise be sent to the several Circles, as also to the chief Princes and States of the Empire, to acquaint them that 'tis their High Mightynesses Opinion this unhappy Accident ought not to cause any Alteration in the common Measures concerted for promoting the Cause of the High Allies; and that their High Mightynesses are for their own part resolv'd to persist in those Measures, and to use their best efforts towards carrying on the War, 'till it be brought to the desired Issue; expecting the like from the High Allies; and that they look upon Union and Constancy

stancy to be the only means for preventing all Damage which the Death of his Imperial Majesty might otherwise occasion. That the said Circles, as also the Princes and Members of the Empire, shall be intreated, to contribute each as far as concerns them, to the conservation of good Understanding and Union in the Empire; and not only to persist in the measures already taken, but also with all their Power to do their utmost in pushing on the War; and that to this purpose they send their Contingents to the Army on the *Upper-Rhine*, and as much as possible enable that Army to act on that Side; thereby to deprive the Enemy of all Hope of reaping any Advantage of this present Opportunity of the Empire's being without a Head.

That Orders shall be sent to Mr. *Mortagne* their High Mightynesses Resident at *Ratisbone*, to recommend to the Ministers and Deputies of the Princes and States of the Empire at the Dyet there, the maintaining of Union, the carrying on of the War, and the putting into a good condition the Army on the *Upper-Rhine*.

That further, these Sentiments of their High Mightynesses shall be communicated to her Majesty of *Great Britain*, his Majesty the King of *Portugal*, and his Royal Highness the Duke of *Savoy*; namely, that the only means of securing the Common Cause from all Prejudice by this unhappy Accident, is for the High Allies

Allies to hold fast together, and with Union and Constancy abide by the Measures already taken, each according to their best Ability contributing to the carrying on of this War and promoting the Common Cause; And that their High Mightynesses will on their Part be firm therein; desiring that their Majesties and Royal Highness will do the same.

That Letters shall likewise be written to his Majesty King *Charles III.* of *Spain*, to exhort his Majesty to exert his Wisdom and Fortitude, and to take such Measures as may be most proper and necessary for maintaining the Cause in *Spain*.

That all these Letters shall be sent to the Ministers of the States residing at the several Courts, to deliver the same respectively, and to second the Tenour thereof the best they can. And Mr. *van Welden*, and the rest of the Deputies of their High Mightynesses for foreign Affairs, are required to acquaint all the Ministers of the High Allies here, therewith; and to urge them, to second and promote the Sentiments and Intention of their High Mightynesses.

Lastly, that Orders shall be sent to Vice-Admiral *Pieter*son, Commander in chief of their High Mightynesses Ships of War in the *Mediterranean*, to consult with his Majesty King *Charles*, and with the chief Commanders of the Ships of War of her Majesty the Queen of *Great Britain*, what may best be done by
their

their Naval Force for the good of the Common Cause; and to assist in executing whatever upon such Consultation shall be judged best. And an extract of this Resolution of their High Mightinesses, shall be sent to *Mr. Hamel Bruinynx* Envoy extraordinary of this State at the Court of *Vienna*, for his Instruction, that he may govern himself accordingly.

[L. S.]

Goslinga.

This agrees with the Register.

F. Fagel.

Their High Mightinesses the States General's Letter to the King of Spain, on the foregoing Subject. Dated the 27th of April. 1711.

S I R,

TIS with an extream Grief that we have been informed of the Death of his Imperial Majesty, and we would not defer one Moment to let your Majesty know how much we are sensible of the great Loss you sustain by the Death of a Dear Brother, who was the chief and main support of the Alliance. So dismal and unexpected an Accident cannot but cause some Alteration in the Minds of People; but we hope it will occasion no change in or prejudices

judice to the Publick Affairs, and that the Prudence of the High Allies will hinder the Enemy from reaping any Advantage thereby. We believe that the best they can do in this Juncture is to continue strictly united, and prosecute the War with firmness, without any alteration in the Measures that have been concerted ; and in particular in those relating to the Affairs of *Spain*. These being our Sentiments, we assure your Majesty that we will continue to contribute our utmost Efforts for promoting and supporting the Common Cause, and your Interests in particular, not doubting but your Majesty, according to your Great Wisdom and Zeal for the Publick Good, will also do on your part all that will be in your Power, as well for preserving and augmenting the good Correspondence and Union between the Allies, as for promoting the Common Cause, and in particular for supporting the Affairs in *Spain*, for which we believe the Efforts ought not to be in the least lessened, desiring your Majesty to take as much care thereof as possible. We have ordered, and do now order again our Vice Admiral *Pieterfon*, who is at present in the *Mediterranean*, to concert with your Majesty and the Commander of the Fleet of Her Majesty of *Great Britain* the Measures that shall be found necessary in the present Conjunction, and do whatever shall be in common concert thought more useful. Mean time, as the Imperial Throne is vacant, we have

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written to the Princes, Electors of the Empire, to represent, that it cannot be more worthily fill'd than by your Majesty, whose Interest we have recommended to them in the Election which is to be made according to the Constitutions of the Empire. We hope that this Evidence of our strict Adherence to your Majesty, and our Zeal for your Service will not be disagreeable to you, and that when Occasion shall offer, your Majesty will have some regard for the Interest of our Republick, and be perswaded that we shall earnestly look for Opportunities to shew more and more to your Majesty the great Esteem we put on your Friendship and Affection. As to the rest, we pray God to preserve your Majesty in good Health, and grant you whatever you wish. We are, &c.

The Definition of the Golden-Bull, from George Brandlucht, a Westphalian, in his Treatise, Intituled, Epitome Jurisprudentiæ Publicæ, Universæ, &c.

THE *Golden-Bull*, (so call'd from the Emperor's Golden-Seal that is affix'd to it, and bears that Name; or from the Golden and Illustrious Constitutions of the Empire that are to be read in it) is a wholesom and inviolable Edict, set forth by the Authority of the Empire and Emperour, which contains those Fundamental Laws, by which the Government and most Weighty Affairs of the Em-

Empire are to be duly Administred. Enacted and Published by the Emperour *Charles IV.* and the States of the Empire, in the Year of Christ 1356, at *Nuremburgh* in *Germany*, as may be seen in the Preamble to it. *Epit. Jur. Pub. p. 5.*

The most material Contents of it.

TH E Emperor being Dead, the Archbishop of *Ments* doth presently advertise the other Electors, and appoint a Day, that within three Months they or their Ambassadors may meet at *Frankfort*, with full Authority to chuse a new Emperor; and if *Ments* neglect it, the rest of the Electors may meet within the same time, none of 'em having above two Hundred Horse in his Train when he enters into the Town, whereof Fifty may be Armed. If any one doth not come nor send his Ambassador, or goes away before the Business be ended, he loseth his right of Election for that time. Note, *Tho' the Election should be made at Frankfort, and the greatest part of the Emperours have receiv'd that Honour there; nay, tho' the Elector of Saxony question'd the Election of Ferdinand I, because it was made at Collen, in the Year 1530. Nevertheless, before Ferdinand's Time, Henry the II. was chosen at Mentz, Henry the III. at Aix, Henry the V. at Collen, Lotharius the II. at Ments, and after him Maximilian and Rodolph the II. and Ferdinand the III.*

From whence we may conclude, That the Place of the Election is not certain. Abridg. of the Laws and Government of Germany by Lewis de May.

The Magistrates of *Frankfort* shall be Faithful to the Electors; and during their Assembly, they shall not suffer any to come into the Town but the Electors and their Trains Being all met, the Assembly shall be performed in *St. Bartholomew's Church*, where every one shall Swear, the Arch-Bishop of *Menis* beginning first, that they shall not do any thing in that Business for any Promise or Reward; after which they shall proceed unto the Election; neither shall they depart from thence before the Emperor be created. And if the Election be deferr'd above thirty Days, they shall have no Meat but Bread and Water. He that is chosen by the greater part, shall have the place, as if it had been done by their General Consent. The Emperor being chosen after this manner, he shall first of all confirm all Privileges belonging to the Electors, in their Dignities, Honours, and Immunities; Besides, it is decreed, That one shall give safe Passage to another thro' his Territories; What Order they shall observe in their Sittings; How their Voices are to be taken; What Office every one shall hold, when the Emperor doth any thing, or Dines publicly; That during the Vacancy of the Empire, the Count *Palatine* shall have the Chief Command in *Swevia*, *Franconia*, and upon the River *Rhine*; And the Duke

Duke of *Saxony* in those Places which use the *Saxon* Law ; That an Elector dying, his eldest Son or Brother shall Succeed him ; If an Elector be not eighteen Years Old, his next Kinsman shall supply the place of Elector until he come to Years ; That the Electors shall meet every Year, touching the Affairs of the Common-Wealth ; That the Seat of the Election shall be at *Frankfort*, and his first Inauguration at *Aix-la-Chapelle* or *Aquis-grane* ; That the Electors Sons in their Youth shall learn the *Italian*, *Latin*, and *Slavonian* Tongues, to the end they may be able to Confer with many Nations ; The Emperor shall ratifie these Laws prescrib'd by the Electors, *i. e.* He shall defend the Christian Common-Wealth, with the Bishop and Church of *Rome*, whose Advocate he shall be ; He shall Administer equally, and seek Peace ; He shall not only confirm the Laws of the Empire, especially that which is call'd the *Golden-Bull*, but also amplify them, with their Advice, where need requires it ; He shall appoint a Senate or Council in the Empire, chosen of *Germans*, who shall Govern the Common-Wealth ; He shall not diminish the Rights, Privileges and Dignities of the Princes, and Orders of the Empire. That it shall be Lawful for the Electors, when it is needful, to meet and to confer of Matters concerning the Common-Wealth ; That he shall not any way hinder their Assembly, nor take it in ill part ; That he shall dissolve all Leagues made
by

by the Commons or Nobility against the Princes, and forbid them by a Law; That he shall make no Alliance or Contract with Strangers, touching the Affairs of the Empire, without the Consent of the Electors; He shall not Sell nor Pawn the Revenues of the Empire, nor in any sort diminish them; and whatsoever is held by other Nations, and withdrawn from the Empire, he shall recover upon the first occasion; Provided always, that there be no Fraud used to them that have Privilege or Right. If either He or any of his House doth hold any thing unlawfully that belongs unto the Empire, they shall restore it, being required by the Electors; He shall entertain Peace and Friendship with other Kingdoms, neither shall he undertake any War either within or without the Empire, for matters concerning the Empire, without the Consent of the States, especially of the Electors; He shall bring no strange Soldiers into *Germany*, but with their Consents; If the Empire be Invaded, he may then use any Auxiliary Forces; He shall not call any Dyet, nor ask any Tribute, without the Consent of the Electors; He shall not hold any Assembly without the bounds of the Empire; He shall appoint *Germans* and no Strangers for the managing publick Affairs, and they to be chosen out of the Nobility; That all Letters shall be written in the *Latin* or *German* Tongue; That he shall not call any one in Question out of the Limits of the Empire;
and

and for that many things are done at *Rome*, contrary to the Contracts made at former times with Bishops, He shall labour with the Pope, that no wrong be done to the Privileges and Liberties of the Empire; He shall confer with the Electors, how the Monopolies of Merchants, which are very pernicious for *Germany*, may be suppress'd, and being once resolv'd, he shall put it in Execution; He shall impose no Toll nor Tax without the Consent of the Electors; neither shall he by his Letters of Commendation, impair the Revenues of those Electors which are upon the *Rhine*; If he have an Action against one, he shall not prescribe any Man without shewing cause, but shall follow the Course of Law; He shall not give the Lands of the Empire, that be void, to any, but apply them to the publick Patrimony; If he shall get any other Province by the help of the Estates, he shall joyn it to the Empire; If he shall recover any thing that belongs to the Publick with his own Forces, he shall restore it to the Common-Wealth; he shall confirm whatsoever the Palatine or the Duke of *Saxony* shall do during the Vacancy of the Empire; He shall not practice any thing whereby the Dignity of the Empire may be made Hereditary to his House, but shall leave it free unto the Electors to make their Choice, according to the Law of *Charles* the IV. and the Popes Decree; and whatsoever shall be done contrary to the tenor hereof, shall be void.

Of

Of the Persons Electing.

How the Number of the Electors came to be reduc'd at first to Seven, and was afterwards made Nine.

THE Persons that are capable of Electing the Emperor were Seven, the most Serene the Chief Officers of the Empire, and not the Pope, who formerly took occasion to make the World believe, that the Imperial Crown was their Gift, and the Emperours their *Leige-Men*. Historians informs us that *Adrian the IV.* made no scruple to write to *Frederick Barbarossa* Emperor of Germany, *Insigne Corona beneficium tibi contulimus*, which was so offensively taken, that (as the German Bishops in their Letter to the same Pope tell Him) *The whole Empire was incens'd at it; the Ears of his Imperial Majesty could not hear it with Patience, nor the Princes of the Empire endure it, and they themselves neither durst or could approve it.* Whereupon the Pope aforesaid found himself under a necessity of Explaining himself, that by *Beneficium*, he meant nothing but *Bonum Factum*, a good Deed, and by *Contulimus*, nothing but *Imposuimus*, That he had Crown'd him. So the Emperour complains to the Bishops; *a Pictura cepit, a Pictura ad scripturam processit, a scriptura in Autoritatem prodire conatur, &c.* It began with Painting, it proceeded to writing, and from

Writing

Writing it endeavours to usurp the Supream Authority. We will not (pursues that Prince) suffer it, we will not endure it, we will rather divest our selves of our Imperial Crown, than permit the Empire itself to be Depos'd with our Consent. Let the Pictures be defaced, let the Writing be retracted, that Perpetual Monuments of Enmity between the Scepter and the Mitre, may not continue.

Gold. Consist. Impressa Francofurti, An. 1607. p. 1. pag. 62. But to return from this Digression. After the Imperial Dignity ceas'd to be Hereditary in the Person of *Henry the IV.* who was declar'd, by reason of Mal-administration, incapable of reigning, the *Germons* made a Law, whereby they abolish'd the Right of Succession, and assum'd to themselves that of choosing their Emperors; tho' some will have it, that the Electors were instituted after the Death of *Otho the II.* and others only in the Time of *Rodolph of Habsburg*, This is certain, when the Empire at first came to be Elective, all the Princes as well Secular as Ecclesiastical, the Lords, Prelates, and Cities; in one Word, all the Estates of the Empire got the Power of the Creation. Afterwards in Process of Time the less considerable were debarr'd of that Right, and at length the Confusion which grew from that great Number of Electors made it to be thought convenient to reduce them to a few, when they that held the highest Offices in the Imperial Court excluded all other from them; and the Emperor *Charles IV.*

confirm'd them in that Right, by a Regulation, which he made in the Ordinance aforesaid, call'd *The Golden Bull*.

The Abbot of *Ursperg* writes, that *Henry* the IV. was rais'd to the Imperial Dignity by the Bishops and Princes of *Germany*. The same Author says that *Henry* the V. was chosen by all, that *Lotharius* the II. was made Emperor by two Arch-bishops, eight Bishops, many Abbots and Lords of the Imperial Court; that *Frederick Barborossa* was chosen by the *German* Princes; that *Philip* came to the Empire by an Election which the *Suevians*, *Bavarians*, and *Saxons* made of him; That *Otho* the IV. receiv'd the Scepter from those of *Collen*, *Strasburg*, and some other Cities. The same Abbot of *Ursperg*, says, that the Emperor *Otho* the IV. was Excommunicated, and that the Princes of *Germany*, (*viz.*) the King of *Bohemia*, the Dukes of *Austria* and *Bavaria*, the Landgrave of *Thuringia*, and many other Princes, chose *Frederick* K. of *Sicily*, to whom they had formerly sworn Allegiance, even while he was yet in his Cradle. This is that *Frederick* untill whose time the Number of the Electors was uncertain; tho' it is the Opinion of some Authors that the Number of Electors was not reduc'd to seven till after the Decease of *Frederick* the II.

The 8th was not heard of 'till the last Treaty of Peace concluded at *Munster* and *Osnabrug* in the Year 1648. In the Year 1623, the Emperor *Ferdinand* II. transfer'd the Electoral Digni-

Dignity from *Frederick V. Count Palatine*, to *Maximilian Duke of Bavaria*. This Translation of Dignity, and many other Acts of Sovereignty, which the Empire remark'd in *Ferdinand* with a Jealous Eye; as the taking upon himself alone to decide Matters, which cannot be determined, but by the Judgment of all the Estates of the Empire; the resuming of Church-Lands possess'd by *Protestants* and Religious Orders, together with a Fear of worse Proceedings, oblig'd the Princes to join in a League, and to call Strangers to their Assistance. The War was so long and bloody, that it swept away more than half the People of *Germany*. At last, both sides being weary, an Assembly was held at *Munster* to conclude a Peace; and the Ambassadors there found themselves in a streight how to satisfy the two principal Branches of that House. Each of them pretended to that Electorate; the first, having had possession thereof for many Ages, requir'd the restitution of it; and the second, alledging the signal Services he had done the Empire, by which he merited that Recompence, would not consent to the Peace, unless it were provided, that he should enjoy that Honour. In conclusion, as *Maximilian* had many Friends, so *Charles Lewis* did not want his Supports: Whereupon they came to this Agreement, That the Duke of *Bavaria* should have the first Electorship to him and his Posterity, and an eighth Place should be new erected for

the Prince *Palatine* of the *Rhine*, upon this condition, That if the *Gulielmine* Branch happen'd to fail before the *Rhodolphine*, these Latter should re-enter into their antient Electorship, and the other newly Created should be wholly abolished.

A 9th Electorate has been since establish'd in the House of *Brunswick Lunenburgh*, by the Emperor *Leopold*; so that the present Electors are three Ecclesiastick, and six Secular; they of *Mentz*, *Triers*, and *Cologn*, are Arch-Bishops and Arch-Chancellors: The first in *Germany*, the second in *France*, and in the Kingdom of *Arles*, and the third in *Italy*. The Seculars are the King of *Bohemia*, who is great Cup-bearer, the Duke of *Bavaria*, who is great Steward, the Duke of *Saxony*, now King of *Poland*, who is great Marshal or Constable, the Marquis of *Brandenburgh*, now King of *Prussia*, great Chamberlain, the Prince *Palatine* of the *Rhine* great Treasurer, and the Duke of *Hannover* great —

Of the Person to be chosen Emperor, and the manner of Electing.

THE Person that is to be chosen Emperor, must be of an Illustrious, Rich, and *German* Family, because he is to be Head over many Princes that resemble so many Kings, and it is to be presum'd they would not willingly yield Obedience to a Person of mean Condition. He should be Rich, because the
Em-

Emperors have alienated almost all the Rights of the Empire, and by their ill Husbandry forc'd the Electors to have an Eye to the Wealth of him they chuse, that he may maintain himself out of his own Revenues, with what is requisite for Imperial Majesty. The manner of making the Election is thus. Upon the arrival of the Electors or their Ambassadors at *Franckfort*, they hold a Counsel in the *Rommer* or Town-House, in a Hall appointed for that End, where they take an Oath of the Inhabitants, Citizens, and Soldiers, and by sound of Drum, and a publick Proclamation command all Persons to depart the Town that do not belong to some of the Electors; and after divers Sessions and Consultations appoint a Day for the Election; the Day before which the Magistrates of the aforesaid Town make another Proclamation, commanding all Strangers, not belonging to the Electors, or not bound by Oath to the Senate, presently to depart the Town, whose Gates are immediately after their so doing, shut up. On the Day of the Election, the Electors come to the Town-House on Horse-back, in great Pomp, where having put on their Robes, and come forth into the Great Hall of the Council, they ride to *St. Bartholomew's Church*, and being enter'd, the Doors are shut: Then the Organs play, and the Musicians perform the Anthem of *Veni Sancte Spiritus*, the Protestant Electors retiring during the Celebration of the Mass: After which,

which, every one of them ascends to the highest Step of the Altar, the Ecclesiastical Electors laying their Hands on their Breasts, and the Secular Electors laying their Hands on the Gospel, the Arch-bishop of *Mentz* shall administer to them, and take with them, the following Oath.

I. N. Arch-Bishop of *Mentz*, swear upon this Holy Gospel, and by the Faith I owe to God and the Holy Roman Empire, that according to my best Abilities, and with the help of God, I will Elect such a Person for King of the Romans, whom I shall think worthy of that Dignity, and that without any Solicitation, private Interest, Hopes of Reward, Promise, or Expectation whatsoever : So help me God and his Saints.

The Oath being taken, they enter into the Imperial Chappel, and proceed to the Election, where having agreed upon the Election, and the Proclamation being made in the Chappel, they come forth, in the manner following. First the Elector of *Mentz*, then the Electors of *Cologn* and *Treves*, who lead between them, his Imperial Majesty Elected, then follow the Secular Electors two and two, Trumpets sounding, and Drums beating, Bells ringing, and the great Ordinance of the Town firing. His Imperial Majesty is then led towards the high Altar in the Choir, where kneeling down upon

on the highest Step, the Electors standing on either side of him, sing *Adjutorium nostrum in Nomine Domini*, and the Psalm, *In Virtute tua latabitur Rex*. Which being ended, they set the Emperor upon the Altar, and the *Te Deum Laudamus* is Sung from one end unto the other, with Voices, Trumpets, and Clarions; This done, they raise him up above the Altar, and the Electors conduct him to the Theatre, built before the Choir, upon which there are Nine Chairs for the Electors cover'd with Black Velvet, and one rais'd a Degree higher than the rest cover'd with Cloth of Gold, upon which the Emperor sits, and then Proclamation is made by the great Dean or Provost of *Mentz* and *Wormes*, of His Majesty's Election. After which his Imperial Majesty and Electors rise from their Chairs, and return to the Palace, called the Great *Braunsfels*, where they divert themselves in all Noble Exercises till the Coronation, which the Electors pretend to have the Appointment of, both as to Time and Place.

A P P E N D I X.

1. **T**HE Ceremonies that are ordinarily perform'd at this Solemnity, are so Obvious to every Reader, from the many Authors that have written concerning them, that I shall only mention some that are Extraordinary, and not so easy to be met with; The first of which is, That the Emperors by Antient Custom were first bound to put on the Habit of a Deacon and Canon of *Sancta Maria de la Torre* in *Rome*, before they can be compleatly Invested

ed with that Dignity, as in the Case of *Charles V.* at his Coronation in *Bologna.* *Herbert's Hist. Henr. 8. Anno 1529. fol. 319.*

2. That there were the several Crowns of the Emperors of *Rome*: The first Crown is of Silver, when he is Crown'd at *Aix-la-Chapelle*, for the Realm of *Germany*, and is kept there: The second Crown is of Iron, when he is Crown'd at *Milan*, for the Realm of *Lombardy* and is kept at *Modena*: And the third of Gold, when he is Crown'd at *St. Peter's* at *Rome*, for the Empire of *Rome*, where it commonly remains, being kept with three several Keys, by three several Arch-Bishops. The Keys, one of Iron, one of Silver, and the other of Gold. *Donald Lupton in his Tract. Intituled, Emblems of Rarities. Page 416. Printed Anno 1636.*

3. That as the Prince *Palatine*, and the Duke of *Saxony*, do deliver the Royal Diadem to the Emperor Elect, thereby giving him Possession of the *German Empire*; so does the Bishop of *Rome* in the Name of all the *Romans*, give unto the same Person by them approved, the Ornaments of the *Roman Empire*; which is *Grotius's* Observation, in his Treatise, *Of the Rights of War and Peace. Lib. 2. cap. 9. Sect. 11.* when he takes occasion to shew by what Right the Pope, in the Vacancy, delivers those Ornaments of the *Roman Empire* to the Emperor of *Germany*.

4. There is likewise another which remains in Doubt among some speculative Persons, which may be set down by way of Question, *viz.* Whether the Imperial Dignity is of Validity without the Coronation by the Hands of the Pope? The Canonists pretend that it is not; tho' a Resolution of this Question may be found in Doctor *Zouch's* Tract. *De Judio inter Gentes. Pars 2. Sect 2. Quest. 2. Page 58, 59.* And in Bishop *Bramhall's* *Just Vindication of the Church of England, Cap. 7. Page 163, 164. Printed, Anno 1654.*

F I N I S.

A D V E R T I S E M E N T.

The Comparison: Or, Accounts on Both Sides fairly stated; in a View of the Management of the War in *Spain*, under the respective Commands of the Earls of *Peterborough* and *Galloway*. Occasion'd by some late Inquiries in the House of Peers. With their Lordships Proceedings thereupon.

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